

THE STATE OF NIGERIAN PRISONS AND PRISONERS RIGHTS

Dr. Edward Godsmark. Ugwu

(Ph. D, MA, BA-Criminal Justice, Sociology & Government)

H.O.D - Public Administration

Institute of Management and Technology, (IMT), Enugu Nigeria

INTRODUCTION

Corrections, Nigerians Prison, Jails Juvenile training schools or reformatories and probation machinery, are the part of the Criminal Justice system that the public sees least and knows least about. It seldom gets into the news unless there is a jail break, a prison riot (as is the case in Yobe State in 2017 and Enugu State 1984, Maiduguri-Borno State prisons), or a sensational scandal involving corruption or brutality in an institution or by an official. The institutions in which about a third of the corrections populations live are situated for the most part in Rural and Urban areas or in the police stations or basement of court houses. Corrections are not only hard to see, traditionally, society has been reluctant to look at it. Many of the people, Juvenile and adult, with whom corrections deals are the most troublesome and troubling members of society. The misfits and the failure, the unrespectable and the irresponsible-society have been well content to keep them out of sight. It is time for total and absolute reformation and rehabilitation of our prisons by building modern prisons & providing adequate services & training.

STATEMENT OF PROBLEMS

Correctional process- beginning with pretrial programme and sentencing and culminating with the release of offenders and the restoration of rights – has been subjected to far too little security, direction, review, and accountability. This is a serious failing when it is recognized that; (1) Judges and Correctional agencies have enormous power and discretion in dealing with the lives and destinies of hundreds and thousands of offenders, (2) The objectives of sentencing and correction – arguably the bases under which decisions are made and actions taken – are often unclear, impractical, undesirable, or conflicting as some are constantly plagued by lack of expertise, knowledge, resources and public commitment to achieve any appropriate objective effectively.

A CRITICAL ANALYSIS OF THE STATE OF NIGERIAN PRISONS

The invisibility of the aforementioned problem believes the system's size and complexity are of critical importance to the crime control. Corrections consist of scores of different kinds of

institutions and programme of the utmost diversity in approach, facilities, and quality. On any given day our prisons and jails are responsible for approximately five hundred offenders, in the course of a year Government spends over half a billion naira doing so. If it could restore all or even most of these people to the community as responsible citizens, Nigerian's Crime would drop significantly. For as today, a substantial percentage of offenders become recidivist, they go on to commit more, and often more serious crimes.

Infact, for a great many offender, correction does no correct. Indeed, criminologist and experts are increasingly coming to feel that conditions under which many offenders are handled, particularly in prisons and other institutions are often a positive detriment to rehabilitation.

Life in many of our institutions is at best barren and futile, at worst unspeakably brutal and degrading. To be sure, the offenders in such institution are incapacitated from committing further crime while serving their sentences, but the conditions in which they live are the poorest possible preparation for their successful reentry into society, and often merely re-enforce in them a pattern of manipulation or destructiveness.

These conditions are to a great extent the result of a drastic shortage of resources together with widespread ignorance as to how to use the resources available. Moreover, corrections by its very nature always work at the "end of the line" of the criminal justice system, with those whose problems have overtaxed the resources of other systems i.e jails, and the juvenile system etc.

What makes deterrence impossible in our criminal justice system is the long prison terms imposed by our legal system and enforced without care for use of discretion by judges. In most cases the punishment given does not equate with crime committed, For example, the detention of political prisoners in African Countries without minding that it is a violation of their basic Human Rights, are destruction of "Ex-post Facto Law" maxims, arrest and detaintion of some individuals considered dangerous, and abuse of discretion when it comes to release does not deter offenders. A social scientist argued that the only punishment that could serve as a deterrent should be prompt, adequate and inevitable and not too server as postulated by Edwin Sutherland 1965.

With good reason, the country's jails could be described as the ultimate ghetto, a dumping grounds for health and welfare cases, a cesspool for crime, and most glaringly inadequate institution in the Nigerian Correctional Scene, the dehumanization of inmates begins at intake, a "status degradation" ceremony in which both accused and convicted are stripped and frisked, assigned a position (if any), categorized for security proposes, and left to learn the ropes of surviving in jail from "barn bosses, the stronger and more hardened criminal who are self-styled leaders within the inmates social system. Most of the time, inmates are confined in their cells, in the larger bullpen cages adjacent to

the cells, or near storage bin dormitories that hold 12-60 persons under conditions that foster assault, homosexual, rape, constant invasion of privacy, and spread of communicable diseases and skin infection as persistent in Enugu Prison as reported in one of our daily newspapers.

The degrading impact of jails is perpetuated and exacerbated by the pervasive idleness and destructive boredom that characterized Nigerian Jails. People who committed victimless crimes and minor offences, the detention. Meaningful, jobs are virtually nonexistent, and what frequently passes for vocational training is a scarce supply of janitorial and maintenance tasks. The brevity of jails sentence, the inappropriateness of rehabilitating of juveniles with adults, and presence of miscellaneous groups awaiting further processing. All barriers to providing Correctional programme in jail.

The larger jails, which contain a disproportionate number of the nation's inmates, are chronically and severity overcrowded, while also the small rural facilities are constantly underutilized. Therefore, it is vital that we should decongest our jails by developing or expanding rural police stations which has about 12-40 inmates and the state prisons is severity overcrowded. Thus there is need to modernize our jails so that inmates could be well treated at least two and three inmates per cell is good.

Most experts especially criminologists have attributed the dehumanizing treatment of inmates and the deplorable prison or jail conditions to (1) poor management by law enforcement personnel, and (2) the obsessive concern with security that dominates the operation of our jails.

CONCLUSION/ RECOMMENDATION

The problems associated with prisons make up an extensive agenda for reform and change. At the top of the least is the dehumanizing nature of our prison and prison overcrowding, a situation likely to worsen if the government remains silent. While the prison of the future may be quite different in terms of deigns, locations, their deemphasize or rehabilitation and in living conditions, should also be stressed.

Suggestions for rehabilitating offenders are briefly summarized. (1) Our prison programme should include clearly defined educational programmes. Research indicates that most of the nation's inmate have not completed primary and secondary school education, therefore they should be offered remedial education and academic or vocational courses that leads to high school certificate or its equivalent, (2) Treatment programme makes effort to help inmates resolve personnel problems related to the cause of their crimes, the condition of incarceration, and preparation for release – the above problems are not already effectively addressed by the officers in-charge, (3)



parole and probation should be created to enable expert work with the released prisoners, (4) government should build more modern prison to accommodate inmates.

It is important to make general far-reaching suggestions for prison or jail improvement as follows:

- 1) Arrangements should be made for inmates to have immediate employment upon release. This would help the released prisoner to plan for their future and make amends to contribute National development.
- 2) The names of well-behaved prisoners should be published (in hopes that sympathetic persons would help them on their release,
- 3) Habitual offenders are required to furnish a financial bond upon release.
- 4) Liquor and Marijuana smoking should be strictly checked and prohibited in prisons
- 5) Separate confinement for different under aged offenders should be developed.

The above are some of the things needed to be done in other to reduce recidivism in criminal activities when the inmate is released.



BIBLIOGRAPHY/REFERENCES

John Kaplan, Professor of Law, Stanford University, Mineola, New York, The Foundation Press, Inc 1983 3rd Edition.

Irving L. Kutash, Samuel B. Kutash, Louis B. Schlesinger and Associates, Violence Perspectives on Murder, Jossey Bass Publishers, San Francisco Washington. London 1985.

Don C. Gibbons, Delinquent Behaviour 3rd Edition Princeton Publishers Inc, New York 1998.

Abraham S. Blumberg, Criminal Justices, Issues and Ironies, 2nd Edition New Viewpoints, a Division of Franklin Watts, New York 1998.

Kenneth Gulp Davis Professor of Law; Administration Law and Government Press, St. Paul Miss West Publishers Co. 1990.

H. Richard Uviller, the Processes of Criminal Justice 2nd Edition, West Publishing Company Inc. American Case Book Series.

George F. Cole, Criminal Justice, Law and Politics 3rd Edition, Library of Congress Cataloging in Publication, Duxbury Press Inc, 1985.